

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

MATTHEW KURTENBACH,

Plaintiff,

-vs-

SECURUS TECHNOLOGIES,

Defendant.

Case No. 21-cv-01006-CBK

SECURUS TECHNOLOGIES, LLC'S MOTION TO DISMISS

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendant Securus Technologies, LLC respectfully moves the Court to dismiss Plaintiff's Complaint. As grounds for this Motion, Defendant states that Plaintiff's Complaint fails to allege a claim upon which relief may be granted. This Motion is supported by the pleadings filed herein, and the *Brief in Support of Securus Technologies LLC's Motion to Dismiss*, which is served and filed with this Motion.

Dated: June 17, 2021

Respectfully submitted,

/s/ Zachary W. Peterson

Counsel for Defendant Securus Technologies, LLC

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Motions for Admission *Pro Hac Vice* forthcoming for:
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CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for Defendant Securus Technologies, LLC, hereby certifies that on the 17th day of June, 2021, a true and correct copy of **SECURUS TECHNOLOGIES, LLC'S MOTION TO DISMISS** was sent for service by first-class U.S. mail to:

Mr. Matthew C. Kurtenbach
Inmate #262814
MCF Faribault
1101 Linden Lane
Faribault, MN 55021

Dated: June 17, 2021

Respectfully submitted,

/s/ Zachary W. Peterson

Counsel for Defendant Securus Technologies, LLC

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